



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: March 23, 2010

Department: Zoning, Building, and Planning **Staff Contact:** Mari Simbaña, Program Planner

TITLE: CONSENT: Special Use Permit for a (Private) Utility Facility and a Single Family Dwelling (CSU-20100002)

COUNTY PLANNING COMMISSION RECOMMENDATION:
Approval

SUMMARY:

At the February 3, 2010 public hearing, the County Planning Commission voted (7-0) to recommend approval for a Special Use Permit for a (Private) Utility Facility (two water reservoirs) and a Single Family Dwelling on Tract A (portion), Las Leyendas Subdivision, located at 1101 Mountain Valley Road, zoned A-2, and containing approximately 485 acres. The decision was based on the following six (6) Findings and subject to the following eight (8) Conditions.

Findings:

1. This is a request for approval of a Special Use Permit for a (Private) Utility Facility (two water reservoirs) and a single family dwelling on Tract A (portion), Las Leyendas Subdivision, located at 1101 Mountain Valley Road, zoned A-2, and containing approximately 485 acres.
2. The property is within the Rural Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
3. This request is consistent with Resolution 116-86, in that this land use is more advantageous to the community because it ensures the establishment of a permitted water utility as articulated in the Albuquerque/Bernalillo County Comprehensive Plan Rural Area Policy 3.b.
4. This request is consistent with Resolution 116-86 in that it facilitates the realization of the East Mountain Area Plan *Policy 3.2* by contributing to the establishment of a water system.
5. This request is consistent with the health, safety, and general welfare of the residents of the County.

6. Future amendments to this SUP (Section 18.C.4) will require the multiple owners (reservoirs and the single family dwelling) to consent to any changes.

Conditions:

1. Outdoor storage shall not be permitted.
2. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots.
3. The applicant shall comply with the Bernalillo County Noise Ordinance. No outdoor speakers or amplified sound systems shall be permitted. Ambient noise levels shall be measured on property boundaries in accordance with Bernalillo County Code, Section 30-115.
4. Existing landscaping which dies shall be replaced by the property owner who is obligated to provide it as expeditiously as possible, but in no case longer than 30 days after notification.
5. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
6. Three copies of the revised site plan consistent with the conditions of approval shall be submitted for review and approval to the Zoning Administrator within 30 days from the date of final Board of County Commissioners approval.
7. The Special Use Permit shall be issued for the life of the use.
8. The foregoing Conditions shall become effective immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit, and shall be strictly complied with within one year.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (February 5, 2010)
2. County Planning Commission Information Packet
3. Site Plan (Commissioners Only)

STAFF ANALYSIS SUMMARY

ZONING, BUILDING AND PLANNING DEPARTMENT:

Staff recommends approval